

CITY OF PORT HUENEME	ADMINISTRATIVE POLICIES AND PROCEDURES
POLICY #: <u>A-005</u>	SUBJECT: ACCEPTANCE OF GIFTS, GRATUITIES, AND TICKETS/PASSES
ISSUED: <u>04-19-10</u>	
EFFECTIVE: <u>04-19-10</u>	
CANCELLATION DATE: _____	
SUPERCEDES: <u>09-01-00</u>	

POLICY:

It is the policy of the City to prohibit the acceptance of gifts of more than nominal value to individual employees or Departments. This policy shall apply to all forms of gifts, including entertainment, food items, beverages, cash, checks, merchandise, gift certificates, loans of equipment, or waiver of charges for services or food items.

Tickets and passes received by the City should be distributed in furtherance of the City's stated public purposes and in accordance with 2 CCR § 18944.1. This policy applies only to tickets or passes distributed by the City to, or at the behest of, public officials. This includes distribution of any tickets or passes received under contract or agreement where the consideration to the City includes a certain number of tickets or passes to the event which is the subject of the contract or agreement. Tickets or passes received by an official from sources other than the City will be treated in accordance with applicable law including, without limitation, the Political Reform Act and FPPC regulations.

PROCEDURES FOR GIFTS:

1. Gifts of nominal value may be accepted. Examples of such items may include but are not limited to: calendars, scratch pads, pens, greeting cards, boxes/containers of candy, confections, etc.
2. If a gift of more than nominal value is offered, it must be returned or donated to a non-profit organization. The party offering the gift or gratuity must be made aware that the City prohibits the acceptance of gifts and the intended course of action regarding the gift (return or donate).
3. Upon acceptance of a gift, refer to California Fair Political Practices Commission Regulations regarding reporting requirements and imposed dollar limits on the acceptance of gift and gratuities.
4. All City employees shall report, to their Department Director, the offering of a gift to them.

PROCEDURES FOR TICKETS/PASSES: *(Per Resolution No. 3948, adopted April 19, 2010)*

Tickets and passes may be distributed by the City only in furtherance of any or all of the following public purposes:

- A. Promoting local events, tourism, or public facilities;
- B. Promoting City programs, facilities, and resources;
- C. Promoting programs and resources available to the City's residents from sources other than the City;
- D. Promoting or acknowledging achievements or accomplishments of residents or businesses of the City;
- E. Employee recognition or retention;
- F. A public purpose identified by written resolution adopted by the City Council at the time of distributing tickets or passes; and
- G. As an incident to the above public purposes, allowing for the immediate family of public officials to accompany the officials to events to accomplish any of the purposes listed in this Resolution.

Tickets or passes distributed to a public official under this policy are solely for the personal use of the official or his or her immediate family. Any unused ticket or pass distributed to a public official under this policy must be returned to the City for redistribution if the ticket or pass remains valid. Under no circumstances may the ticket or pass be sold or further distributed by the official, except to the official's immediate family for their personal use.

Recipient officials are advised to review 2 CCR § 18944.1(f) which limits the ticket or pass gift exemption to only the value of the ticket or pass, and does not include other benefits received at the event, including food or beverages.

The City Manager, or designee, is responsible for distribution of tickets or passes in accordance with this policy, exercising the City's discretion in determining if distribution of the tickets or passes complies with this policy, including any distribution to the City Manager or his or her immediate family.

RESPONSIBILITY:

- 1. Department Directors are responsible for determining whether the gift is of nominal value.
- 2. The City Manager shall be notified if gifts, of more than nominal value, are offered, returned, or donated.

3. This policy must be posted on the City's website in a prominent fashion, as required by 2 CCR § 18944.1(c). In accordance with 2 CCR § 18944.1(d), any distribution of passes or tickets under this policy must be posted in a prominent fashion on the City's website within thirty (30) days of the distribution. The posting must contain all information required by 2 CCR § 18944.1(d). The posting must use FPPC Form 802, or any form approved for this purpose by the City Manager.



CITY MANAGER